

Submitted by: The New Hampshire Republican State Committee 134 No. Main Street, Concord, NH 03301

**BEFORE THE
FEDERAL ELECTION COMMISSION**

In the Matter of:

**Albert Gore
Gore 2000, Inc.**

MUR No. :

4915

AUG 6 2 16 PM '99

**RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL**

COMPLAINT

Pursuant to 2 U.S.C. § 437g, and upon information and belief, the New Hampshire Republican State Committee ("NHRSC") brings this complaint to the Federal Election Commission ("the Commission") regarding possible violations of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431 et seq. ("FECA" or "the Act") and Commission regulations at 11 C.F.R. § 1.1 et seq. ("Commission regulations") by Albert Gore and Gore 2000 Inc., his principal campaign committee. Specifically, based on publicly available news reports, there is reason to believe Mr. Albert Gore and his principal campaign committee violated the Act and Commission regulations by accepting prohibited corporate contributions for his Presidential campaign.

Therefore, the Commission should find reason to believe that Mr. Gore and Gore 2000 Inc. have violated 2 U.S.C. § 441b and should take appropriate action.

STATEMENT OF FACTS

On July 22, 1999, Mr. Gore's campaign arranged a campaign trip to the Connecticut River in New Hampshire to highlight environmental issues. To prevent Mr. Gore's "canoe from getting stuck" during a "photo opportunity," Pacific Gas & Electric ("PG&E") kept a dam open for 15 hours and released between 97,000,000 gallons of water and 4,000,000,000 gallons of water. This "was a highly unusual and complex undertaking that required electricity to be rerouted through New England's power grid. It set off a complicated series of actions by a variety of public and private entities that comprise the region's electric industry." (See "N.H. dam worked overtime, documents say," attached hereto as exhibit A)

LEGAL ANALYSIS

I. Mr. Gore and Gore 2000 Inc. Have Violated the FECA by Accepting a Corporate Contribution in Violation of 2 U.S.C. § 441b.

- A. FECA prohibits corporate contributions to a candidate for federal office. 2 U.S.C. § 441b and 11 C.F.R. § 114.2.
- B. The FECA defines a corporate contribution to include "any services or anything of value made to a candidate or a political committee in connection with" an election for Federal office. 2 U.S.C. § 441b(2) and 11 C.F.R. § 114.1(a)

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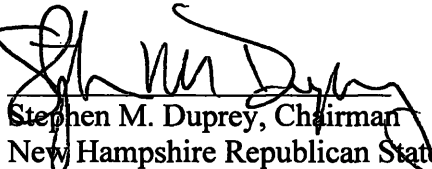
- C. Mr. Gore filed with the Commission on January 4, 1999 formally declaring himself a candidate for President of the United States and also filed a Statement of Organization for Gore 2000, Inc., his principal campaign committee, on January 11, 1999. (See "Filings," Attached hereto as exhibit B)
- D. Publicly available press reports document the extraordinary efforts and expense Pacific Gas and Electric undertook to raise the level of the Connecticut River, during a drought, to ensure Mr. Gore's canoe had enough water to float for his campaign photo opportunity. (See Exhibit A and "Press Reports," attached hereto as exhibit C)
- E. The value of this contribution, as defined in 2 U.S.C. § 441b(b)(2) and 11 C.F.R. § 114.1(a), has yet to be determined. However, press reports have suggested that while the water released was converted into electricity and sold, it was not in the ordinary course of business for Pacific Gas and Electric. (See Exhibit A and "Press Reports," attached hereto as exhibit C)
- F. Under the Act and Commission regulations, Mr. Gore was prohibited from accepting such contributions from Pacific Electric and Gas.
- G. Therefore, Mr. Gore and Gore 2000 Inc. are in violation of the Act and of Commission regulations.

CONCLUSION

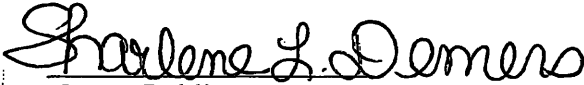
There is reason to believe Mr. Gore has violated the FECA and Commission regulations for the reasons outlined above.

Therefore, based upon information and belief as delineated above, the NHRSC respectfully requests that the Commission find reason to believe that Mr. Gore and Gore 2000 Inc. have violated the Act and Commission regulations and to take appropriate action.

Respectfully Submitted,


Stephen M. Duprey, Chairman
New Hampshire Republican State Committee

Sworn to and subscribed before me this 5 day of August 1999


Notary Public

My Commissions Expires August 6, 2002
SHARLENE L. DEMERS, Notary Public
Commission Expires August 6, 2002

EXHIBIT A

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The Washington Times

Published in Washington, D.C. Sat -- August 2, 1999

www.washtimes.com

FRONT PAGE	POLITICS	OPINION	INVESTIGATIVE
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GO

N.H. dam worked overtime, documents say

By Bill Sammon
THE WASHINGTON TIMES

The floodgates of a New Hampshire dam were kept open for 15 hours -- more than twice as long as usual -- to prevent Vice President Al Gore's canoe from getting stuck during an environmental photo opportunity last month.

The gates were opened at 5 a.m., or five hours earlier than any other day that week, according to documents provided by Pacific Gas & Electric (PGE), the company that operates the dam on the Connecticut River.

The documents contradict earlier assertions by PGE officials that they had opened the floodgates only two hours earlier than usual and kept them open only four to six hours. Those assertions have been repeated by Gore defenders seeking to limit political fallout from what has become known as "Floodgate."

The shifting stories about how early the dam was opened and how long it gushed water come on the heels of similarly evolving estimates of how much water was released to keep Mr. Gore's canoe afloat during the July 22 excursion. PGE officials initially said they released nearly 4 billion gallons, but Gore defenders later countered that the figure was only 97 million.

PGE spokeswoman Lisa Franklin eventually said neither amount was correct and blamed the initial

-- Continued from Front Page --

4 billion gallon figure on a dam operator who "was speculating based on incomplete information." She concurred with a calculation by The Washington Times -- based on revised PGE data -- that more than half a billion gallons had been released.

The constant revisions and backpedaling by both PGE officials and Democratic defenders of Mr. Gore have served to prolong what some Republicans initially expected would be a one- or two-day story about an embarrassing political misstep. Eleven days after the canoe trip went bust, GOP operatives are still gleefully

lampooning the vice president in the same way they accused him of having claimed to invent the Internet.

"I want to thank the Gore press office for their work in keeping the story of Gore's hypocrisy flowing," deadpanned Jim Nicholson, chairman of the Republican National Committee. "While some have accused the vice president of being shallow, I think his staff has shown remarkable buoyancy and depth."

Some observers believe Mr. Gore should have acted swiftly to contain the damage by acknowledging the river raising was ill-advised and perhaps poking fun at himself for having been duped into participating in the excursion.

Instead, the vice president and his staff seemed to defensively dodge questions about Mr. Gore's views on the river raising. The vice president denied knowing about the water release until the day after the trip, even though a local official insisted she told him on the riverbank after he emerged from his canoe.

Meanwhile, Democrats kept the story afloat by disputing details about when the dam was opened and how much water was released. Some even declared the water was good for fish, while others acknowledged the river receded to its low level hours after Mr. Gore's trip concluded.

Another factor that seemed to prolong the story was timing. The river was raised in the midst of a record-breaking drought that has dried up reservoirs and forced water rationing in many parts of the sun-baked Northeast.

The point was not lost on columnists, cartoonists and editorial writers from New Hampshire to New Mexico. Additionally, pundits invoked "Floodgate" when congressional Republicans last week sought to repeal a Gore-supported regulation that limits the amount of water used in flushing toilets.

Republicans believe the extensive coverage, which includes jokes by late-night television comics, is beginning to undermine Mr. Gore's reputation on what many see as his signature issue, the environment.

A Fox News/Opinion Dynamics poll, taken in the wake of "Floodgate," found that 44 percent of respondents believe "Gore is not the strong environmentalist he claims to be." Only 29 percent believed that Mr. Gore's environmental credentials remain intact.

The poll of 905 registered voters across the country also found that 51 percent of respondents believe the water was released to keep Mr. Gore's canoe from getting stuck. Only 14 percent believed Democratic claims that the water release had been planned anyway, regardless of whether the vice president had gone canoeing.

In the days after the river-raising story was first broken by The Washington Times, Miss Franklin repeatedly said PGE had merely moved up its previously scheduled release of water by two hours to accommodate Mr. Gore. She also emphasized that the release was a routine, almost daily, occurrence that lasted four to six hours.

But detailed PGE documents show that the dam was opened at 5 a.m. and remained open until 8 p.m.,

suggesting the morning session was for the benefit of Mr. Gore and the afternoon session was to satisfy demand for electricity during peak-usage hours.

"Typically, the releases occur during the peak periods of electricity usage," said Miss Franklin. She acknowledged those periods are in the afternoon, when fans and air conditioners are working overtime to battle the heat wave that is tormenting the region.

The decision to raise the river, which Democrats have portrayed as barely out of the ordinary, was actually a highly unusual and complex undertaking that required electricity to be rerouted through New England's power grid. It set off a complicated series of actions by a variety of public and private entities that comprise the region's electric industry.

It also raised questions about whether the release of water amounted to an in-kind campaign contribution from a private corporation, which is prohibited by federal election law.

Miss Franklin called such questions "absurd" and emphasized that PGE is a "nonpartisan" corporation. But a spokesman at the Federal Elections Commission said they would treat any complaint on the matter seriously.



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EXHIBIT B

STATEMENT OF CANDIDACY

(see reverse side for instructions)

RECEIVED
FEDERAL ELECTION
COMMISSION MAIL ROOM

1. (a) Name of Candidate (in full) Al Gore		2. Identification Number Box 65796
(b) Address (number and street) <input type="checkbox"/> Check if address changed c/o Ryan, Phillips, Utrecht & MacKinnon, P.O.		
(c) City, State, and ZIP Code Washington, D.C. 20035		
3. Party Affiliation Democrat	4. Office Sought President of the United States	5. State & District of Candidate N/A

DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE

6. I hereby designate the following named political committee as my Principal Campaign Committee for the 2000 election(s).
(year of election)

NOTE: This designation should be filed with the appropriate office listed below.

(a) Name of Committee (in full)

GORE 2000

(b) Address (number and street)

**c/o Ryan, Phillips, Utrecht & MacKinnon
P.O. Box 65796**

(c) City, State and ZIP Code

Washington, D.C. 20035

DESIGNATION OF OTHER AUTHORIZED COMMITTEES

(Including Joint Fundraising Representatives)

7. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.

NOTE: This designation should be filed with the principal campaign committee.

(a) Name of Committee (in full)

(b) Address (number and street)

(c) City, State and ZIP Code

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Signature of Candidate

Date

January 1, 1999

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. § 437g.

CANDIDATES FOR THE OFFICE OF:

President mail to:

Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

U.S. Senate mail to:

Secretary of the Senate
Office of Public Records
232 Hart Senate Office Bldg.
Washington, DC 20510-7116

U.S. House of Representatives mail to:

Clerk of the House of Representatives
Office of Records and Registration
1036 Longworth Office Bldg.
Washington, DC 20515-6612

For further information contact:

Federal Election Commission
Toll-free 800/424-9530
Local 202/319-3420

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FEC FORM 2
(revised 4/87)

STATEMENT OF ORGANIZATION

(See reverse side for instructions)

1. (a) NAME OF COMMITTEE IN FULL Gore 2000, Inc.	<input type="checkbox"/> (Check if name is changed)	2. DATE 1/11/99
(b) Number and Street Address P.O. Box 18237	<input type="checkbox"/> (Check if address is changed)	3. FEC Identification Number
(c) City, State and ZIP Code Washington, D.C. 20036		4. Is This Report Acknowledged? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

REC-113
FEDERAL ELECTION
COMMISSION MAIL ROOM

JAN 11 3 35 PM '99

5. TYPE OF COMMITTEE (Check one)

- ☒ (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- ☐ (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)
- | | | | |
|-------------------------------------|--|-----------------------------------|------------------------------|
| Name of Candidate
Al Gore | Candidate's Party Affiliation
Democrat | Office Sought
President | State/Chairman
N/A |
|-------------------------------------|--|-----------------------------------|------------------------------|
- ☐ (c) This committee supports/opposes only one candidate _____ and is NOT an authorized committee.
(Name of candidate)
- ☐ (d) This committee is a _____ committee of the _____ Party.
(National, State or subordinate) (Democratic, Republican, etc.)
- ☐ (e) This committee is a separate segregated fund.
- ☐ (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund or a party committee.

6. Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
Gore 2000 General Election Legal and Accounting Compliance Fund	P.O. Box 18237 Washington, D.C. 20036	Affiliated Committee

Type of Connected Organization

☐ Corporation ☐ Corporation w/o Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Cooperative

7. Custodian of Records Identify by name, address (phone number - optional) and position of the person in possession of committee books and records.

Full Name	Mailing Address	Title or Position
Brian Foucart	P.O. Box 18237 Washington, DC 20036	Custodian


8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee, and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address	Title or Position
Jose Villarreal	P.O. Box 18237 Washington, DC 20036	Treasurer
Brian Foucart	P.O. Box 18237 Washington, DC 20036	Asst. Treasurer

9. Bank or Other Depository: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
NationsBank	730 15th Street N.W. Washington, DC 20005-1012

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

TYPE OR PRINT NAME OF TREASURER Jose Villarreal	SIGNATURE OF TREASURER 	DATE 1/11/99
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NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. 5427g. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

For further information contact:
Federal Election Commission
Toll-free 800-426-6831
Local 202-691-8343

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FEC FORM 1
(revised 4/87)

01/02/99 FRI 09:30 [TX/RX NO 89551] @002

EXHIBIT C

Vice President Al Gore, on the Connecticut River on Thursday. A local utility had poured in millions of gallons of water for the trip, but a spokesman for Mr. Gore said the campaign did not ask that it be done.



Credit: The Associated Press
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Thursday July 22 7:57 PM ET

Gore Points to River Cleanup

By ANN S. KIM Associated Press Writer

CORNISH, N.H. (AP) - Vice President Al Gore canoed Thursday down the Connecticut River and pointed to its cleanup as an example of how environmental and economic concerns can be addressed jointly.

"Environmental protection and economic growth are not opposing forces, but go hand in hand," the Democratic presidential candidate said in a speech on the bank of the river.

Gore spoke at an event celebrating the river's designation as an American Heritage River. Before the speech, he took a canoe trip on the river with Democratic New Hampshire Gov. Jeanne Shaheen.

The Connecticut is one of 14 waterways designated as American Heritage Rivers that qualify for special federal money. Gore said \$819,000 had been earmarked for various projects related to the river.

But it was the communities surrounding the river that he praised for cooperating in their efforts to rid it of pollution and preserve it for future generations.

"To me, these are more than public policy issues, they are moral issues," he said. "We have to make the 21st century the time we right the environmental wrongs of the past."



The Connecticut River is intertwined with U.S. history, Gore said, serving as the main corridor for European settlement of the region in the 17th century and later as a major waterway for boat travel.

But in the 1950s, it had become so polluted that people taking water samples had to wear gas masks, he said.

Cities along other waterways - specifically Chattanooga, Memphis and San Antonio - have revitalized themselves by making the effort to "reconnect" with their rivers, he said.

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- [25 Raise \\$100,000 Each for Gore](#) (July 22)
- [Al Gore Courts Hispanic Vote](#) (July 17)
- [Gore Calls on College Democrats](#) (July 16)

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Yahoo! News

AP Headlines

Friday July 23 7:40 PM ET

Gore in Environmental Quandry

CORNISH, N.H. (AP) - When Vice President Al Gore paddled a canoe along the Connecticut River for a photo opportunity, he had some help staying afloat.

Utility officials, saying they were acting on a request by the Connecticut River Joint Commission, opened a dam and released about 4 billion gallons to raise the level of the river so Gore's canoe wouldn't get stuck in low water during a campaign visit Thursday. The request came after commission members and the Secret Service toured the site before Gore's visit.

The Washington Times, which reported details of the water discharge Friday, quoted a state official who suggested that the presidential candidate received special treatment.

"They won't release water for the fish when we ask them to, but somehow they find themselves able to release it for a politician," said John Kassel, director of the Vermont Department of Natural Resources, according to the Times.

But Kassel, who accompanied Gore on the canoe trip, said Friday that the quotes were not accurate.

"We think it was absolutely appropriate to release those flows," Kassel said.

Gore spokesman Chris Lehane said no one on Gore's campaign staff asked for the water to be released.

"In fact, earlier in the week, we specifically requested that the water flow not be altered in any shape, way or form because of our visit. Our understanding is that the increased flow has had nothing but a positive impact on the environment," Lehane said.

Deputy managing editor Fran Coombs said The Times stood by the story "as written and reported."

Earlier Stories

- [Dam Water Released for Gore Photo](#) (July 23)

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